

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DAVID LYNN HARRISON,

Plaintiff,

v.

NEVADA DEPT OF CORRECTIONS et al.,

Defendants.

2:16-cv-01371-JAD-NJK

**ORDER**

**I. DISCUSSION**

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections (“NDOC”), has submitted a petition for maturity claim/counterclaim and maturity of counterclaim. (ECF No. 1-1, 1-2). Plaintiff has not submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 and has not paid the full filing fee for this matter or filed an application to proceed *in forma pauperis*.

Pursuant to Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. The Court grants Plaintiff thirty (30) days from the date of this order to submit a complaint to this Court.

Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff will be granted an opportunity to file an application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

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1 **II. CONCLUSION**

2 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL SEND  
3 Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as  
4 the document entitled information and instructions for filing an *in forma pauperis* application.


5 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,  
6 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the  
7 correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or  
8 (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50  
9 administrative fee).

10 IT IS FURTHER ORDERED that Plaintiff shall submit a complaint to this Court within  
11 **thirty (30) days** from the date of this order.

12 IT IS FURTHER ORDERED that the Clerk of the Court shall send to Plaintiff the  
13 approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The Clerk  
14 of the Court shall also send Plaintiff a copy of his petition for maturity claim/counterclaim and  
15 maturity of counterclaim (ECF No. 1-1, 1-2).

16 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
17 dismissal of this action may result.

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19 DATED: This 20th day of June, 2016.

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23 United States Magistrate Judge  
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